

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
v.)
)
WILLIAM WEAVER,)
)
Defendant.)

**CASE NO. 3:12-CR-00021
Chief Judge Haynes**

**CONSENT ORDER FOR THE DISTRIBUTION OF FUNDS
RELATED TO THE SALE OF LEGENDS CREST**

The Court has reviewed the Motion for Consent Order for the Distribution of Funds Related to the Sale of Legends Crest and for good cause shown, finds the following and grants the motion.

WHEREAS the Court has previously granted the Modified Order re: Interlocutory Sale of 725 Legends Crest Drive, Franklin TN, 37069 (more particularly described in Docket Entry 98), and entered a Priority Order;

WHEREAS, all Petitioners are in agreement with the Consent Order for the Distribution of Funds Related to the Sale of Legends Crest;

WHEREAS, the IRS will not be pursuing any Petition of Interest as to the funds from the sale of Legends Crest;

WHEREAS, notice of the Order for Interlocutory Sale of 725 Legends Crest Drive, Franklin, TN 37068 to known and unknown interested parties was provided in accordance with 21 U.S.C. § 853(n); Fed. R. Crim. Pro. 32.2(b)(6); and Fed. R. Civ. Pro., Supp. R. G4)(a)(ii – iv);

WHEREAS, \$154,644.05 is currently on deposit with the United States Clerk of the Court for the Middle District of Tennessee;

IT IS HEREBY ORDERED that any interest of the IRS and any other parties not expressly provided for in this Order is hereby extinguished.

IT IS HEREBY FURTHER ORDERED that the funds received from the August 2014 sale of 725 Legends Crest Drive, Franklin, TN 37069, currently on deposit with the Clerk of the Court for the Middle District of Tennessee shall be turned over to the United States Marshals Service.

IT IS HEREBY FURTHER ORDERED that Daniel Gardner, April Gardner, Legends Ridge Homeowners Association, Inc. and Legends Ridge Swim and Tennis Club, and Chicago Title Insurance Company shall complete the Unified Financial Management System (“UFMS”) form which in accordance with the Debt Collection Improvement Act of 1996 (“DCIA”), as codified at 31 U.S.C. § 3716, and which requires the Department of the Treasury and other disbursing officials to offset Federal payments to collect delinquent non-tax debts owed to the United States, the parties acknowledge that the release to the parties may be reduced by any debt owed to the United States, any agency of the United States, or any other debt in which the United States is authorized to collect.

IT IS HEREBY FURTHER ORDERED that the funds received from the August 2014 sale of 725 Legends Crest Drive, Franklin, TN 37069, currently on deposit with the Clerk of the

Court for the Middle District of Tennessee shall be disbursed by the United States Marshals Service in the following order:

- a. \$599.00 payable to the United States Marshals Service, Middle District of Tennessee;
- b. \$80,000 payable to Daniel Gardner and April Gardner;
- c. \$17,000 payable to Parker, Lawrence, Cantrell & Smith on behalf of the Legends Ridge Homeowners Association, Inc. and Legends Ridge Swim and Tennis Club as full and final satisfaction of their claims;
- d. \$57,045.05 payable to Frantz, McConnell & Seymour, LLP (on behalf of Chicago Title Insurance Company).

IT IS FURTHER ORDERED that Daniel Gardner and April Gardner shall execute an assignment of funds in accordance with the Court's Priority Order at Docket Entry 55.

IT IS FURTHER ORDERED that upon the payment of the funds to the above-named parties, Legends Crest is dismissed from this ancillary proceeding.

SO ORDERED this 25th day of September, 2014.



WILLIAM J. HAYNES, JR.
United States Chief District Judge